

REMARKS

First, Applicant thanks the Examiner for discussing the above-identified case with Applicant's representatives. A Statement of Substance of Interview is being submitted herewith.

Claims 1, 3-7, and 9-12 are all the claims pending in the present application. Claims 7, 9, and 10 are rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1, 3-7, 9, and 10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mizuno (U.S. Patent No. 6,463,183) in view of Tam et al (U.S. Patent No. 5,754,186). Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mizuno, Tam, and further in view of Dempsey et al (U.S. Patent Application Publication No. 2004/0155902).

§ 101 Rejections - Claims 7, 9, and 10

Applicant thanks the Examiner for indicating during the Examiner interview with Applicant's representatives that the rejections of claims 7 and 9 would be withdrawn.

Applicant believes that claim 10 satisfies 35 U.S.C. § 101.

§ 103(a) Rejections (Mizuno/Tam) - Claims 1, 3-7, 9, and 10

Claims 1-10 are rejected based on the reasons set forth on pages 2-6 of the present Office Action. Applicant traverses these rejections at least based on the following reasons.

With respect to independent claim 1, Applicant previously argued and presently maintain that neither Mizuno nor Tam, either alone or in combination, discloses or suggests at least, "extracting input drawing static information from a drawn input image every predetermined time," as recited in claim 1. In response, the Examiner adds a few new arguments in the *Response to Arguments* section of the Office Action. These "new" arguments substantially reflect the same arguments set forth in the previous Office Actions.

In response, Applicant maintains that the Examiner is utilizing impermissible hindsight reasoning in concluding that the entire process flow shown in Fig. 8 takes a specific predetermined amount of time. There is no teaching or suggestion of such in Mizuno. Further, each of steps S1-S5 could individually take a different amount of time each iteration depending on the type of image that is being processed. Therefore, the Examiner cannot reasonably state that the entire process flow concludes in a predetermined amount of time. Further, the Examiner is obviously utilizing impermissible hindsight reasoning in stating that extracting input drawing static information from a drawn input image every predetermined time is inherent in the teachings of Mizuno. Even if, *arguendo*, programming loops operate in a cyclical recurring form, there is no teaching or suggestion (and it is not inherent) that a particular programming loop occurs in a predetermined amount of time. Therefore, at least based on the foregoing, as well as the arguments previously submitted, Applicant maintains that neither Mizuno nor Tam, either alone or in combination, discloses or suggests at least the above quoted feature of claim 1. Applicant maintains that independent claim 1 is patentably distinguishable over the applied references, either alone or in combination.

Further, Applicant submits that an exemplary result of the claimed invention is that it is possible to avoid a device (general-purpose PC) from becoming overloaded.

Although Mizuno proposes to perform a decoding process for each pixel unit, it is necessary to perform quite a lot of processing steps in order to perform the proposed combination for each pixel unit. To the contrary, an exemplary object of the claimed embodiment of the invention can be to reduce the overload processes which tend to appear in a moving image data combination.

Yet further, with respect to claim 1, Applicant submits that the applied references, either alone or in combination, do not disclose or suggest at least, “wherein the predetermined time is greater than or equal to a period between when the image control section cuts out a moving image and extracts input drawing static information and when the combined image information is displayed,” as recited in claim 1. The Examiner alleges that this particular feature is satisfied based on the teachings of Mizuno. However, there is no teaching of the specific predetermined time that is defined as greater than or equal to a period between when the image control section cuts out a moving image and extracts input drawing static information and when the combined image information is displayed. The Examiner alleges that the predetermined time is inherent in the teachings of Mizuno. However, the Examiner has not demonstrated and the references do not indicate that this very specific limitation is satisfied by either of the applied references, either alone or in combination, by inherency or otherwise. Moreover, the Examiner has not shown that the alleged predetermined period as shown in Mizuno is defined as set forth in the above-quoted limitation. At least based on the foregoing, Applicant submits that claim 1 is patentably distinguishable over the applied references.

Applicant submits that independent claim 7 is patentable at least based on reasons similar to those set forth above with respect to claim 1. Applicant submits that dependent claims 3-6 and 9 are patentable at least by virtue of their respective dependencies from independent claims 1 and 7.

§ 103(a) Rejections (Mizuno/Tam/Dempski) - Claims 11 and 12

Applicant submits that claims 11 and 12 are patentable at least based on reasons similar to those set forth above with respect to claim 1. Dempski does not make up for the deficiencies of Mizuno and Tam.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Respectfully submitted,

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